

REMARKS

In the Office Action, claims 1 - 4, 7 - 19, 22 - 24, 26 - 30, and 32 - 40 were noted as pending in the application; claim 34 was allowed; claims 1, 7 - 9, 11, 13 - 16, 22 - 24, 26, 32, 35, 37, 39, and 40 were rejected; and claims 2 - 4, 10, 12, 17 - 19, 27 - 30, 33, 36, and 38 were objected to. By this amendment, claims 1, 2, 10, 16, 17, 27, 28, 32, 35, 36, and 38 have been amended, claims 26 and 33 have been canceled, and no claims have been added. Thus, claims 1 - 4, 7 - 19, 22 - 24, 27 - 30, 32, and 34 - 40 remain pending in the application. The rejections of the Office Action are discussed below.

Rejection of Claims 1, 7 - 9, 11, 13, 14, 16, 22 - 24, 26, 32, 35, 37, 39, and 40 under 35 USC § 102

In items 2.1 - 2.3, on pages 2 - 4 of the Office Action, claims 1, 7 - 9, 11, 13, 14, 16, 22 - 24, 26, 32, 35, 37, 39, and 40 were rejected under 35 USC § 102 as being anticipated by Nakagawa, Kokai Patent Application HEI 2[1990]-83720, published March 23, 1990. While the Applicant does not agree that the Nakagawa reference is prior art that teaches each of the elements recited in Claims 1, 7 - 9, 11, 13, 14, 16, 22 - 24, 26, 32, 35, 37, 39, and 40, the Applicant wishes to expedite the application toward allowance. Accordingly, claims 1, 2, 10, 16, 17, 27, 28, 32, 35, 36, and 38 have been amended herein to place them in allowable condition based on the positions taken in the Office Action.

In particular, claims 2, 10, 17, 27, 28, 36, and 38 have been rewritten in independent form, including all the limitations of their respective base claims. In accordance with the Office Action, claims 2, 10, 17, 27, 28, 36, and 38 are now allowable. Further, claims 3, 4, 12, 18, 19, 29, and 30 depend, either directly or ultimately, from these amended claims and correspondingly are now allowable as depending from allowable claims.

Claim 32 has been amended to include elements of objected-to claim 33, thereby, in accordance with the Office Action, rendering claim 32 allowable.

Independent claims 1, 16, and 35 have been amended to modify the final claim element from (using claim 1 as an example) "increase the clock frequency in response to one of passage of a predetermined amount of time following the decrease in clock frequency and the thermal

sensor indicating that the sensed temperature is less than the threshold temperature value” to now recite “increase the clock frequency in response to passage of a predetermined amount of time following the decrease in clock frequency.” The Office Action asserted that Nakagawa discloses increasing the clock frequency in response to “the thermal sensor indicating that the sensed temperature is less than the threshold temperature value.” However, Nakagawa fails to disclose the “passage of time” feature; nor has any Office Action found any reference disclosing such a feature since this element was included in the claims by the January 24, 2007 amendment. Accordingly, claims 1, 16, and 35 are now allowable over the prior art. Further, claims 7, 8, 9, 11, 13 – 15, 22 – 24, 37, 39, and 40 depend, either directly or ultimately, from these amended claims and correspondingly are now allowable as depending from allowable claims.

Withdrawal of the rejection of claims 1, 7 - 9, 11, 13, 14, 16, 22 - 24, 32, 35, 37, 39, and 40 is respectfully requested as each of these claims or their respective base claims have been amended to allowable form. Withdrawal of the rejection of claim 26 is respectfully requested as claim 26 has been canceled herein.

Rejection of Claim 15 under 35 USC § 103

In items 3 - 3.1, on page 5 of the Office Action, claim 15 was rejected under 35 USC § 102 as being unpatentable over Nakagawa, Kokai Patent Application HEI 2[1990]-83720, published March 23, 1990 (hereinafter “Kokai”), in view of the IBM Technical Disclosure Bulletin, entitled “Automatically Controlled Air Cooling System for Small Machines, dated January, 1982 (hereinafter “IBM”).

Claim 1, from which claim 15 depends, has been amended herein to allowable form, based on the positions taken in the Office Action. Claim 15, as depending from an allowable claim, is also allowable; and withdrawal of this rejection is respectfully requested.

Objection of Claims 2 - 4, 10, 12, 17 - 19, 27 - 30, 33, 36 and 38

In item 4, on pages 6 - 8 of the Office Action, claims 2 - 4, 10, 12, 17 - 19, 27 - 30, 33, 36, and 38 are objected to as being dependent upon a rejected base claim. As presented above, each of these claims (except claim 33, which has been canceled herein) has been amended to

allowable, independent form; or their respective base claims have been amended to place them in condition for allowance. Accordingly, withdrawal of the objection to claims 2 - 4, 10, 12, 17 - 19, 27 - 30, 33, 36, and 38 is respectfully requested.

Allowable Subject Matter

The Applicant notes with appreciation that the Office Action indicated in item 5, on page 9 of the Action, that claim 34 is deemed allowable over the prior art of record.


Summary

It is submitted that all rejections and objections of the Office Action have been addressed and that all pending claims, namely claims 1 - 4, 7 - 19, 22 - 24, 27 - 30, 32, and 34 - 40, are deemed to be in a condition suitable for allowance. Reconsideration of the claims and an early Notice of Allowance are earnestly solicited.

If any fees are required in connection with this Amendment, please charge the same to our Deposit Account No. 02-2135.

Respectfully submitted,

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